

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

BILLY JONES,

Plaintiff,

vs.

No. 13 -00741 RB-WPL

**ESPANOLA MUNICIPAL SCHOOL DISTRICT,
JANETTE ARCHULETA AND MARTHA FERNANDEZ**

Defendants.

Consolidated with

BILLY JONES,

Plaintiff,

vs.

No. 13-1253 MV-RHS

**CHILDREN, YOUTH AND FAMILIES
DEPARTMENT,**

STIPULATED MOTION TO CONTINUE THE STAY OF DISCOVERY

COME NOW Defendant Janette Archuleta, by and through her counsel of record, Narvaez Law Firm, P.A. (Henry F. Narvaez and Carlos E. Sedillo) and Plaintiff Billy Jones, by and through his counsel of record the Kennedy Law Firm (Joseph P. Kennedy and Michael L. Timm), hereby moves that this Court continue its Order staying discovery [Doc. 33], pending the resolution of Defendant Archuleta's Amended Motion to Dismiss based on Qualified Immunity [Doc. 58], presently before the Court. As ground for this Motion, the Parties state as follows:

1. Defendant Archuleta filed an Amended Motion to Dismiss based on Qualified Immunity on December 10, 2014 [Doc. 58].
2. The Parties stipulate that Defendant has a right to a stay of discovery pending the resolution of her Motion to Dismiss based on Qualified Immunity. Ashcroft v. Iqbal, 556 U.S. 662 (2009).

Respectfully submitted,

NARVAEZ LAW FIRM, P.A.

/s/ Carlos E. Sedillo

HENRY F. NARVAEZ

CARLOS E. SEDILLO

Attorneys for School Defendants

P.O. Box 25967

Albuquerque, New Mexico 87125-0967

T: (505) 248-0500

KENNEDY LAW FIRM

Approved via email on 1/6/15

JOSEPH P. KENNEDY

MICHAEL L. TIMM

Attorneys for Plaintiff

1000 Second Street NW

Albuquerque, New Mexico 87102

CERTIFICATE OF SERVICE

I hereby certify that I filed the foregoing electronically through CMECF, which caused the following parties or counsel to be served by email, as more fully reflected on the Notice of Electronic Filing, on January 6, 2015 to:

Scott P. Hatcher
Hatcher & Tebo, P.A.
Attorney for Defendant Fernandez
150 Washington Ave., Suite 204
Santa Fe, NM 87501

/s/ Carlos E. Sedillo

CARLOS E. SEDILLO